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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

10/711,255

Filing Date

09/04/2004

First Named Inventor

Stanley C. Antosh

Art Unit

1611

Examiner Name

Joseph S. Kudla

Attorney Docket Number

42160.008

ENCLOSURES

(Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

ROZSA LAW GROUP LC

Signature

Printed name

Thomas I. Rozsa

Date

9-4-2008

Reg. No.

29,210

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ROZSA LAW GROUP LC.
ATTORNEYS AT LAW
18757 BURBANK BOULEVARD, SUITE 220
TARZANA, CALIFORNIA 91356-3346
TELEPHONE (818) 783-0990

Attorney's Docket No.: 41260.008



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

**Stanley C. Antosh and
Anthony J. Meduri**

Serial No.: 10/711,255

Filed: 09/04/2004

For the Invention of:

**THE USE OF METHYL PYRUVATE OR
METHYL PYRUVIC ACID FOR THE
TREATMENT OF DISEASES OF THE
NERVOUS SYSTEM AND FOR PROTECTING
A HUMAN CENTRAL NERVOUS SYSTEM
AGAINST NEURONAL DEGENERATION
CAUSED BY DEFECTIVE INTRACELLULAR
ENERGY PRODUCTION**

Group Art Unit No. 1611

**Examiner:
Joseph S. Kudla**

Telephone: (571) 270-3288

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**RESPONSE TO SUPPLEMENTAL REQUIREMENT ON
RESTRICTION REQUIREMENT**

1. The Office Action of August 8, 2008 on the above-referenced Application Serial No. 10/711,255 (hereafter the "255 Application") is hereby acknowledged. The shortened statutory period of one (1) month time period for response to this Office Action expires on September 8, 2008. This Response To Restriction Requirement is being mailed by Express Mail, Mail Label No. EM 217940798 US, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on September 4, 2008. Therefore, this

Response is timely filed. In the event that the Commissioner for Patents should determine that any extension of time is required for this Response to be timely filed and an appropriate fee is due for that extension of time, then the Commissioner for Patents is hereby authorized to charge Deposit Account Number 18-2222 for such appropriate fee.

2. The Applicants points out that the Applicants did elect (3) on Claims 39 and 40 in Paragraph 4 of their reply filed on 7/11/08 and elected creatine analogs which can act as reversible or irreversible inhibitors of creatine kinase. The election was made with traverse. Since the Examiner stated in the Office Action of 08/08/2008 that the Applicants also have to elect the creatine analog, the Applicants hereby elect cyclocreatine in Claims 39 and 40. This election is also made with traverse.

Respectfully submitted,

Date: September 4, 2008

Thomas I. Rozsa

Thomas I. Rozsa
Registration No. 29,210

Customer No. 021907
Telephone (818) 783-0990
Facsimile (818) 783-0992

ROZSA LAW GROUP LC
18757 Burbank Boulevard, Suite 220
Tarzana, California 91356-3346

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Registration No. 29,210

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rest.antosh.008